

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

PHOENIX PAYMENT SYSTEMS, INC.)	
d/b/a ELECTRONIC PAYMENT)	
EXCHANGE,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 07-537-SLR-LPS
)	
LEXCEL, INC. and)	
LEXCEL SOLUTIONS, INC.,)	
)	
Defendants.)	

STIPULATION AND [PROPOSED] ORDER

WHEREAS, the Scheduling Order (D.I. 20) originally provided for initial disclosures to be made by January 4, 2008;

WHEREAS, the parties' stipulation which was entered by the Court, currently provides for initial disclosures to be made by June 1, 2008 (D.I. 43);

WHEREAS, the Scheduling Order (D.I. 20) originally provided for all motions to amend or supplement the pleadings to be filed by May 1, 2008;

WHEREAS, the parties' stipulation which was entered by the Court, currently provides for all motions to amend or supplement the pleadings to be filed by June 1, 2008;

WHEREAS, the parties continue to explore settlement possibilities and plaintiffs sent defendants a draft settlement agreement on Friday, May 30, 2008.

Counsel for the parties hereby stipulate and agree, subject to Court approval, to extend the deadline for initial disclosures and motions to amend or supplement the pleadings to and including June 10, 2008;

The Court will not grant any additional extensions of these two deadlines.

All other deadlines in the Scheduling Order remain in full force and effect.

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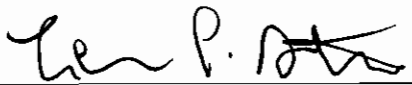
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*Attorneys for Defendants
Lexcel, Inc. and Lexcel Solutions, Inc.*

Dated: June 2, 2008

SO ORDERED this 3rd day of June, 2008.


United States District Judge

M. G. White